

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT



FEB 16, 2010

P.M.
TIME A.M.

per

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BARBARA RUMAIN,

Plaintiff,

ORDER
07 CV 2486 (SLT)(LB)

-against-

QUALIS, INC., also known as Bio Sentry
Laboratories, and PERRIGO COMPANY,

Defendants.

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BLOOM, United States Magistrate Judge:

The parties continue to disregard their obligations under the Federal Rules of Civil Procedure as well as my prior Order that they must make a good faith effort to resolve their discovery disputes with one another before writing to the Court. Fed. R. Civ. P. 26(c); Local Civil Rule 37.3; docket entry 43. By letter dated February 8, 2010, plaintiff raises many issues regarding the sufficiency of defendants' discovery responses and seeks sanctions against defendants. See docket entry 55. By letter dated February 11, 2010, defendants address plaintiff's arguments and state that plaintiff has not contacted them to work out the issues presented in her letter. See docket entry 57. Plaintiff's motion for sanctions is denied. The Court has reviewed the parties' letters and makes the following rulings:

- Defendants shall respond to plaintiff's interrogatory number 31, but their response is limited to claims processed between years 2002 to 2007 relating only to the bedding spray.
- Fed. R. Civ. P. 33(a)(i) states that a party may serve "no more than 25 written interrogatories" without leave of Court. Although plaintiff should have sought

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leave of Court prior to serving additional interrogatories, defendants shall respond to plaintiff's discovery requests that have been timely served.

- Defendants state that they provided plaintiff with the name of the manufacturer of the active ingredient in the bedding spray. See docket entry 57 at 2. While plaintiff believes defendants' response is not "truthful," she acknowledges that another company previously provided by defendants may be the manufacturer of the active ingredient. See docket entry 55 at 2. The Court shall not compel defendants to respond to this request again.

The deadline for the parties to complete discovery is March 21, 2010. The Court has already extended the deadline twice and will not extend the deadline again. See docket entries 47, 53.

SO ORDERED:

LOIS BLOOM
United States Magistrate Judge

Dated: February 12, 2010
Brooklyn, New York